

James A. Patten (ID. No. 1191)

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Attorney for Debtors

IN THE UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF MONTANA

IN RE:	)	Case No. 15-61015-13
	)	
ROBERT E. ROLLINS	)	
and MONICA J. ROLLINS,	)	
	)	
Debtors.	)	

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MOTION FOR DETERMINATION FOR SPECIAL  
CIRCUMSTANCES TO ALLOW ADDITIONAL EXPENSES

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ROBERT E. ROLLINS and MONICA J. ROLLINS, the Debtors above-named, by and through their attorney hereby moves this Court, pursuant to 11 U.S.C. §707(b)(2)(B), to allow special circumstance for additional expenses. In support hereof, the Debtors state:

1. The Debtors are voluntary Debtors in a Chapter 13 bankruptcy case.
2. The Debtors reside in Billings, Montana.
3. The Debtors report income from their children totaling \$1,377.43 per month or \$8,264.57 for the time period of April, 2015 - September, 2015.
4. The Debtors request that their children's monthly expenses be allowed as an additional expense under Part 2, paragraph 43 of the Chapter 13 Calculation of Disposable Income.

5. The Debtor, Robert Rollins had two daughters and two grandchildren that lived with him during the six month period before his case was filed. His two daughters had their own income and expenses for that time period and the Debtors request that their expenses be allowed as a deduction from the calculation of the monthly disposable income.

6. The expenses range from student loans, food, gas, car insurance, cell phones, medical, diapers, clothing etc. The children's income and a detail of their expenses are set out on the spreadsheet attached as Exhibit 1.

7. An adjustment for additional expenses is appropriate under the special circumstances that exist.

WHEREFORE the foregoing reasons, the Debtors, Robert E. Rollins, Jr. and Monica J. Rollins, respectfully requests this Court to find special circumstances exist and that the expenses for their two daughters in the amount of \$1,377.43 be allowed as a deduction.

DATED this 29th day of October, 2015.

**PATTEN, PETERMAN, BEKKEDAHL & GREEN, PLLC**  
2817 2<sup>nd</sup> Avenue North, Suite 300  
Billings, MT 59101

By: /s/ JA Patten  
James A. Patten  
Attorney for Debtors

**NOTICE OF OPPORTUNITY TO RESPOND AND REQUEST A HEARING**

**If you object to the application, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the notice. The responding party shall schedule the hearing on the application at least 21 days after the date of the response and request for hearing and shall include in the caption of the responsive pleading, the date, time and location of the hearing by inserting in the caption the following:**

**NOTICE OF HEARING**

**Date:** \_\_\_\_\_

**Time:** \_\_\_\_\_

**Location:** \_\_\_\_\_

**If no response and request for hearing are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.**

DATED this 29th day of October, 2015.

**PATTEN, PETERMAN, BEKKEDAHL & GREEN, PLLC**  
2817 2<sup>nd</sup> Avenue North, Suite 300  
Billings, MT 59101

By: /s/ JA Patten  
James A. Patten  
Attorney for Debtors

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify, under penalty of perjury, that on the 29th day of October, 2015, a copy of the foregoing was electronically by the Court's ECF notice to all persons/entities requesting special notice or otherwise entitled to the same and that in addition service by mailing a true and correct copy, first class mail, postage prepaid, was made to the following persons/entities who are not ECF registered users: None.

By: /s/JA Patten

For Patten, Peterman, Bekkedahl & Green